

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAR 25 2008

MOLLY DWYER, ACTING CLERK
U.S. COURT OF APPEALS

KETEVAN JAVAKHISHVILI,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 04-74328

Agency No. A95-574-541

MEMORANDUM *

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted March 18, 2008**

Before: CANBY, T.G. NELSON, and BEA, Circuit Judges.

Ketevan Javakhishvili, a native of the former Soviet Union and citizen of
Georgia, petitions for review of the Board of Immigration Appeals' order

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without
oral argument. See Fed. R. App. P. 34(a)(2).

summarily affirming an immigration judge's ("IJ") decision denying her application for asylum, withholding of removal and protection under the Convention Against Torture ("CAT"). Our jurisdiction is governed by 8 U.S.C. § 1252. We review for substantial evidence an IJ's credibility findings. *Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003). We deny in part, and dismiss in part the petition for review.

Substantial evidence supports the IJ's credibility finding because there are inconsistencies between Javakhishvili's testimony and her asylum application regarding the nature of her alleged injuries and the duration of her detention, and these inconsistencies go to the heart of her claim. *See Pal v. INS*, 204 F.3d 935, 938, 940 (9th Cir. 2000).

Without credible testimony we uphold the agency's denial of asylum and withholding of removal. *See Farah*, 348 F.3d at 1156.

We lack jurisdiction to consider Javakhishvili's contentions regarding CAT protection, because she did not raise them before the BIA. *See Barron v. Ashcroft*, 358 F.3d 674, 677-78 (9th Cir. 2004).

PETITION FOR REVIEW DENIED in part; DISMISSED in part.